

was receiving immediately before that effective date. However, in the case of an employee who becomes eligible for pay retention because a special rate schedule has been reduced under § 530.304 of this part, the employee shall receive a rate of basic pay determined under § 536.205(b) of this chapter.

(b) If a special rate range is terminated under § 530.304 of this part, an employee who was receiving a special rate immediately before the effective date of an adjustment in scheduled rates of pay shall receive on that effective date the numerical rank in the new statutory pay schedule for the employee's grade or level that corresponds to the numerical rank of the special rate the employee was receiving immediately before that effective date. However, in the case of an employee who becomes eligible for pay retention because the employee's pay would otherwise be reduced under § 530.304 of this part, the employee shall receive a rate of basic pay determined under § 536.205(b) of this chapter.

(c) A GM employee (as defined in § 531.202 of this chapter) receiving a special salary rate immediately before the effective date of an adjustment in scheduled rates of pay shall receive on that effective date a rate of basic pay determined under § 531.205(a)(2) of this chapter. However, in the case of an employee who becomes eligible for pay retention because the employee's pay would otherwise be reduced under § 530.304, the employee shall receive a rate of basic pay determined under § 536.205(b) of this chapter.

[57 FR 59277, Dec. 15, 1992, as amended at 58 FR 65535, Dec. 15, 1993]

PART 531—PAY UNDER THE GENERAL SCHEDULE

Subpart A [Reserved]

Subpart B—Determining Rate of Basic Pay

Sec.

- 531.201 Applicability.
- 531.202 Definitions.
- 531.203 General provisions.
- 531.204 Special provisions.
- 531.205 Pay schedule conversion rules at the time of an annual pay adjustment under 5 U.S.C. 5303.

- 531.206 Setting pay upon movement from nonappropriated fund instrumentalities.

Subpart C—Special Pay Adjustments for Law Enforcement Officers

- 531.301 Definitions.
- 531.302 Determining special law enforcement adjusted rates of pay.
- 531.303 Computation of hourly, daily, weekly, and biweekly adjusted rates of pay.
- 531.304 Administration of special law enforcement adjusted rates of pay.
- 531.305 Reports.
- 531.306 Effect of special pay adjustments for law enforcement officers on retention payments under FBI demonstration project.
- 531.307 Continuation of a special law enforcement adjusted rate of pay.

Subpart D—Within-Grade Increases

- 531.401 Principal authorities.
- 531.402 Employee coverage.
- 531.403 Definitions.
- 531.404 Earning within-grade increase.
- 531.405 Waiting periods for within-grade increase.
- 531.406 Creditable service.
- 531.407 Equivalent increase determinations.
- 531.408 [Reserved]
- 531.409 Acceptable level of competence determinations.
- 531.410 Reconsideration of a negative determination.
- 531.411 Continuing evaluation after withholding a within-grade increase.
- 531.412 Effective date of within-grade increase.
- 531.413 Reports and evaluation of within-grade increase authority.
- 531.414 Interim within-grade increase.

Subpart E—Quality Step Increases

- 531.501 Applicability.
- 531.502 Definitions.
- 531.503 Purpose of quality step increases.
- 531.504 Level of performance required for quality step increase.
- 531.505 Restrictions on granting quality step increases.
- 531.506 Effective date of a quality step increase.
- 531.507 Agency responsibilities.
- 531.508 Evaluation of quality step increase authority.

Subpart F—Locality-Based Comparability Payments

- 531.601 Purpose.
- 531.602 Definitions.
- 531.603 Locality pay areas.
- 531.604 Determining locality rates of pay.
- 531.605 Computation of hourly, daily, weekly, and biweekly locality rates of pay.

Office of Personnel Management

§ 531.202

531.606 Administration of locality rates of pay.
531.607 Reports.

Subpart G—Continued Rates of Pay

531.701 Definitions.
531.702 Computation of hourly, daily, weekly, and biweekly continued rates of pay.
531.703 Administration of continued rates of pay.
531.704 Effect of continued rates of pay on retention payments under FBI demonstration project.
531.705 Reports.

AUTHORITY: 5 U.S.C. 5115, 5307, and 5338; sec. 4 of Pub. L. 103–89, 107 Stat. 981; and E.O. 12748, 56 FR 4521, 3 CFR, 1991 Comp., p. 316;

Subpart B also issued under 5 U.S.C. 5303(g), 5333, 5334(a), and 7701(b)(2);

Subpart C also issued under 5 U.S.C. 5304, 5305, and 5553; sections 302 and 404 of the Federal Employees Pay Comparability Act of 1990 (FEPCA), Pub. L. 101–509, 104 Stat. 1462 and 1466; and section 3(7) of Pub. L. 102–378, 106 Stat. 1356;

Subpart D also issued under 5 U.S.C. 5335(g) and 7701(b)(2);

Subpart E also issued under 5 U.S.C. 5336;

Subpart F also issued under 5 U.S.C. 5304, 5305(g)(1), and 5553; E.O. 12883, 58 FR 63281, 3 CFR, 1993 Comp., p. 682; and E.O. 13106, 63 FR 68151, 3 CFR, 1998 Comp., p. 224;

Subpart G also issued under 5 U.S.C. 5304, 5305, and 5553; section 302 of FEPCA, Pub. L. 101–509, 104 Stat. 1462; and E.O. 12786, 56 FR 67453, 3 CFR, 1991 Comp., p. 376.

Subpart A [Reserved]

Subpart B—Determining Rate of Basic Pay

SOURCE: 45 FR 65498, Oct. 3, 1980, unless otherwise noted.

§ 531.201 Applicability.

This subpart and sections 5333 and 5334 of title 5, United States Code, apply to employees and positions, other than Senior Executive Service positions, to which chapter 51 of title 5, United States Code, applies.

[58 FR 65535, Dec. 15, 1993; 59 FR 5223, Feb. 3, 1994]

§ 531.202 Definitions.

In this subpart:

Agency has the meaning given that word by section 5102 of title 5, United States Code.

Demotion means a change of an employee, while continuously employed, from:

(1) One General Schedule grade to a lower General Schedule grade, with or without reduction in pay; or

(2) A higher rate paid under authority other than subchapter III of chapter 53 of title 5, United States Code, to a lower rate within a General Schedule grade.

Employee means an employee of an agency to whom this subpart applies.

Existing rate of basic pay means the rate received immediately before the effective date of a transfer, promotion, demotion, or within-grade increase.

GM employee means an employee who was covered by the Performance Management and Recognition System under chapter 54 of title 5, United States Code, on October 31, 1993 (and therefore became covered on November 1, 1993, by section 4 of Pub. L. 103–89, the Performance Management and Recognition System Termination Act of 1993), and who continues thereafter to occupy a position as a supervisor or management official (as defined in paragraphs (10) and (11) of section 7103(a) of title 5, United States Code) in the same grade of the General Schedule and in the same agency without a break in service of more than 3 calendar days. Any reference to employees, grades, positions, or rates of basic pay under the General Schedule shall include GM employees for the purposes of subchapter I and III of chapter 53 of title 5, United States Code.

Higher grade means a General Schedule grade above the last previous General Schedule grade or its equivalent held by the employee.

Highest previous rate means—

(1) The highest actual rate of basic pay previously received by an individual while employed in a position in a branch of the Federal Government (executive, legislative, or judicial); a Government corporation, as defined in 5 U.S.C. 103; the United States Postal Service or the Postal Rate Commission; or the government of the District of Columbia (except as provided in § 531.203(d)(2)(v) of this part); without regard to whether the position was subject to the General Schedule; or